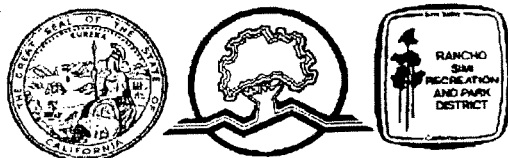


LECHUZA BEACH ACQUISITION

Agenda Item XVII.

October 26, 2000



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
5810 Ramirez Canyon Road
Malibu, California 90265
(310) 589-3230 Fax (310) 589-3237

VIA FACSIMILE

October 24, 2000

William Ahern, Executive Officer
State Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, California 94612

Lechuza Beach Acquisition

Dear Bill:

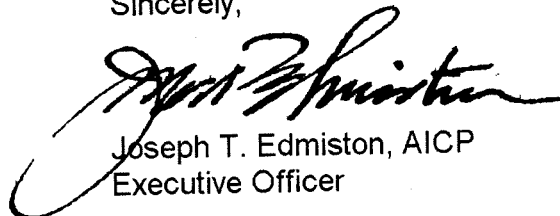
Last night the joint meeting of the Santa Monica Mountains Conservancy and the Governing Board of the Mountains Recreation and Conservation Authority (MRCA) discussed the possibility of MRCA serving as acquisition agent for the Lechuza Beach project.

Acquisition of Lechuza Beach has long been a priority of many agencies. The public will benefit by having increased recreational access to Malibu's shoreline, and difficult and protracted litigation will be resolved to the satisfaction of all parties. This project is within the Santa Monica Mountains National Recreation Area and therefore of interest to the Mountains Recreation and Conservation Authority in its primary role of helping to implement the park and recreation objectives of other Federal, State, and local agencies pursuant to, *inter alia*, the SMMNRA General Management Plan and the Santa Monica Mountains Comprehensive Plan.

In consideration of these facts, the Santa Monica Mountains Conservancy voted unanimously to recommend to the MRCA that it serve as acquisition agent for the Lechuza Beach project if such a role is offered to it.

We realize there are legal and technical issues you must still address before this project can go forward. When you are ready to proceed, we have been directed to agendaize this project at the next regular meeting—or special meeting if necessary—of the MRCA's governing board. While we cannot presuppose the outcome of any vote, the staff will recommend approval.

Sincerely,



Joseph T. Edmiston, AICP
Executive Officer



NATURAL RESOURCES DEFENSE COUNCIL

October 18, 2000

Via Facsimile

The Honorable Gary Hernandez
Chair of the Board of Directors
California Coastal Conservancy
1330 Broadway, 11th floor
Oakland, CA 92412-2530

Dear Chairman Hernandez:

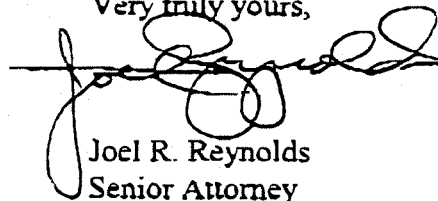
On behalf of the Natural Resources Defense Council and our more than 90,000 California members, I write to support the public acquisition of Lechuza Beach. We believe that the acquisition of Lechuza Beach offers a unique opportunity to preserve and provide the public with expanded beach access in Malibu.

The acquisition of Lechuza beach is also financially viable. California Assemblymember Sheila Kuehl has worked hard to ensure that funds are available for this purchase, and the Governor has approved funds for Lechuza Beach acquisition in his annual budget.

NRDC understands that concerns have been raised by some local homeowners about guarantees of public access to the beach. NRDC wholeheartedly supports guaranteed public access to Lechuza Beach. As far as the future management of Lechuza Beach is concerned, NRDC would urge the Conservancy to ensure that the beach is managed in the most ecologically sustainable way possible, including prohibitions on the raking of natural seaweed and other parts of the beach ecosystem on which migratory birds depend. Dogs on the beach, which disturb marine mammals and migratory birds, and potentially affect water quality and public health, should also be prohibited.

Thank you for considering these comments.

Very truly yours,



Joel R. Reynolds
Senior Attorney



Surfrider Foundation

October 20, 2000

The Honorable Gary Hernandez
Chair of the Board of Directors
California Coastal Conservancy
1330 Broadway, 11th floor
Oakland, CA 92412-2530

via fax: 510-286-0470

Dear Conservancy Board Chair Hernandez,

We write in support of the public acquisition of Lechuza Beach as soon as possible and respectfully request you vote to support the acquisition of this beautiful sandy cove beach at your October Conservancy Board meeting in Ventura.

As you know, it is rather unique to have three willing sellers together at once agreeing to a single goal for such a valuable and beautiful treasure such as Lechuza. The Surfrider Foundation is interested in protecting resources such as this, and it is rare that a trio of willing sellers - especially on a Malibu beach - are united in the desire to make such a resource available to the public.

There are many thousands of California residents who will be grateful for the protection of this wonderful beach, even if they never visit it. Still, this beach being owned by the public with guaranteed access will be a true gift to the public, a public that is often turned away by such limited access to the beaches on the beautiful Malibu coastline.

Thank you for the opportunity to tell you of our concerns and of our unqualified support of your taking action to allocate funds and provide staff authority to enter into a management agreement for the public acquisition of Lechuza Beach.

Sincerely,

Christopher J. Evans, Esq.
Executive Director





Surfrider Foundation

October 18, 2000

The Honorable Gary Hernandez sent via fax: 510-286-0470
Chair of the Board of Directors
California Coastal Conservancy
1330 Broadway, 11th floor
Oakland, CA 92412-2530

Dear Conservancy Board Chair Hernandez,

We write in full support of the public acquisition of Lechuza Beach moving forward as soon as possible and respectfully request you vote to support the acquisition of this beautiful sandy cove beach at your October Conservancy Board meeting in Ventura.

As you know, it is rather unique to have three willing sellers together at once agreeing to a single goal for such a valuable and beautiful treasure such as Lechuza. The Surfrider Foundation works diligently to protect resources such as this, and it is rare that a trio of willing sellers - especially on a Malibu beach - are united in the desire to make such a resource available to the public.

We are also aware that willing sellers do not remain as such for lengthy time periods and are concerned that this land may not be available at a future time. In fact, we have heard that potential buyers recently toured the subject land and are seriously considering making an offer that might prevail if the funding the Conservancy is considering allocating does not receive approval at the Ventura meeting. Such an outcome would be a real shame, given all those who have worked to secure the public acquisition of Lechuza for so many years.

California Assembly member Sheila Kuehl has worked hard to insure the funds are available for this purchase, and the Governor approved making these funds available for Lechuza in his budget. There are many thousands of California residents who will be grateful for the protection of this wonderful beach, even if they never visit it. Still, this beach being owned by the public with guaranteed access will be a true gift to the public, a public that is often turned away by such limited access to the beaches on the beautiful Malibu coastline.

We understand that concerns have been raised by some of the local homeowners about several issues, including guarantee of access and appraisal values of the land. We absolutely support public access being guaranteed to the site and have reviewed correspondence between the landowners' attorneys and various state officials. We have reviewed maps of the site, have taken site inspection tours and have reviewed real estate documents pertinent to these issues. While we have not been privy to the sealed-to-the-public appraisals completed by the Conservancy staff, we feel confident the public is receiving a good deal, given the values of adjacent homes and the likelihood of some building being allowed on these properties by both the Coastal Commission and the City of Malibu.

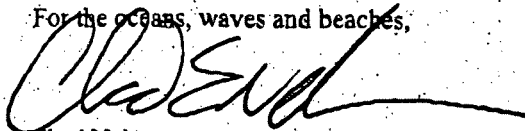
We are also confident that public access to this beach will be a reality. The documents we have reviewed indicate a strong case for the public being able to access this beach in a way that still protects the resources and considers the concerns of the homeowners. This position is strongly defensible, in our opinion, regardless of threats made by at least two of the adjacent homeowners who appear to want to retain what they view as a private beach.



We are most interested in participating in the management considerations of the beach and are especially concerned with protecting natural resources at Lechuza. The County of Los Angeles regularly disturbs beach resources such as this on adjacent beaches they manage and are hopeful that the Conservancy will not allow this beach to fall into the hands of such poor resource managers. We are especially concerned that Lechuza's future not include raking the natural wrack of seaweed and other parts of the beach ecosystem (insects, beach vegetation, etc.) that migratory birds depend on. Dogs on the beach (disturbing marine mammals and migratory birds) are also not acceptable.

Thank you for the opportunity to tell you of our concerns and of our unqualified support of your taking action to allocate funds and provide staff authority to enter into a management agreement for the public acquisition of Lechuza Beach.

For the oceans, waves and beaches,

A handwritten signature in black ink, appearing to read "Chad Nelsen", written over a horizontal line.

Chad Nelsen
Environmental Director

Mary Jones
20607 Eagle Pass Drive
Malibu, CA 90265
310-589-2597

October 20, 2000

Via Fax
Gary A. Hernandez, Chairman
California State Coastal Conservancy
1330 Broadway, 11th Floor
Oakland, CA 94612-2530

Re: Acquisition of Lechuza Beach, Malibu, CA

Dear Mr. Hernandez,

I have read with interest the Conservancy's consideration in acquiring Lechuza Beach in Malibu. I am familiar with that beach, small as it is and for the life of me, I cannot understand why the Conservancy would consider paying **TEN MILLION DOLLARS** for that tiny strip of wet sand in the middle of a dense residential area with no parking.

Disbursement of Conservancy funds is a concern to all California residents and tax payers. I am both. I think **TEN MILLION DOLLARS** is an outrageous amount to pay for the little benefit associated with an additional few hundred feet of wet sand beach. Lechuza beach is within a mile of the three pocket State beaches, El Matador, El Pecedor and La Piedra. To the east, Zuma Beach is just over one mile, in between are two or three public access beaches along Broad Beach Road. Beyond the pocket beaches to the west are Encinal and Leo Carillo Beaches. With all of these beaches, in very close proximity, the expenditure of **TEN MILLION DOLLARS** for a little bit more beach, seems like a misuse of public funds.

In addition, what possible benefit is a beach with no available parking. Is the Conservancy contemplating spending millions more to acquire and build a parking lot? All of the beaches surrounding Lechuza beach, except the Broad Beach Road access beaches, have large parking lots. Unless the Conservancy plans on paving part of Lechuza Beach (which would be deplorable) there is no place to put a parking lot. Without parking, what possible benefit is Lechuza Beach for the citizens who would use the beach, all of whom would be arriving by car.

I strongly urge the Conservancy to vote against acquisition of Lechuza Beach. The price is outrageous and far outweighs any realistic benefit to the people of the State of California or to Malibu residents. If the Conservancy has ten million dollars to burn, please exercise your fiduciary obligation and spend it more wisely. Improve the faculties at Zuma, Malibu's largest and most beautiful beach, or help in fixing the Pier, Malibu's treasure. There are a million ways to better spend Ten Million dollars of public funds.

Sincerely,

Mary Jones